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5 IN THE UNITED STATES DISTRICT COURT
6
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8 LISA ZIMMER,
9 Plaintiff,
10 v.
11 S.F. HOUSING AUTHORITY, et al.,
12 Defendants.

No. C-14-04775 EDL

**ORDER DENYING MOTION TO
APPOINT COUNSEL WITHOUT
PREJUDICE**

14 Plaintiff Lisa Zimmer filed her complaint on October 27, 2014, along with an application to
15 proceed in forma pauperis. The Court granted Plaintiff's request to proceed in forma pauperis. On
16 January 13, 2015, Plaintiff filed a motion for appointment of counsel. The Court has discretion to
17 appoint counsel for an indigent plaintiff where it finds "exceptional circumstances." See 28 U.S.C. §
18 1915(e)(1); Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1990); see also 42 U.S.C. § 3613(b)(1)
19 (court may appoint attorney for person alleging discriminatory housing practice). A determination
20 that a case involves exceptional circumstances requires an evaluation of both the merits of the case
21 and the ability of the pro se plaintiff to articulate his claims in light of the complexity of the legal
22 issues involved. Id. Having reviewed Plaintiff's complaint and opposition to Defendants' pending
23 motion to dismiss, the Court does not find Plaintiff's complaint to be "exceptional." Further, at this
24 early stage, the Court cannot determine whether the case has merit or whether complex legal
25 issues warrant the appointment of counsel. Accordingly, the request for appointment of counsel is
26 denied without prejudice.

27 Plaintiff may wish to seek assistance from the Legal Help Center, a free service of the
28 Volunteer Legal Services Program, by calling (415)782-8982 or signing up for an appointment on

1 the 15th Floor of the Courthouse, Room 2796. At the Legal Help Center, Plaintiff may speak with
2 an attorney who may be able to provide basic legal help, but not legal representation. The Court also
3 urges Plaintiff to obtain a copy of the Pro Se Handbook, available free of charge from the Court's
4 website (www.cand.uscourts.gov) or in the Clerk's Office on the 16th Floor, 450 Golden Gate
5 Avenue, San Francisco, CA.

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7 **IT IS SO ORDERED.**

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10 Dated:

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ELIZABETH D. LAPORTE

United States Magistrate Judge